IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.26 OF 2006

Rajendra Vasudeo Marathe and others)..Petitioners

V/s.

State of Maharashtra and others)..Respondents

Mr.U.P. Warunjikar for the Petitioners.

Mr.A.A. Kumbhakoni, Associate Advocate-General, with Mr.P.I.Khemani, Assistant Government Pleader, for Respondent No.1.

Mr.C.J. Sawant, Senior Advocate, with Mr.Nitin Dhumal for Respondent No.2.

CORAM: V.G. PALSHIKAR, AG. C.J. AND SMT. NISHITA MHATRE, J.
DATED: 10TH JANUARY 2006

P.C.:

. By this Petition, the Petitioners have made the following prayers :-

(a) This Hon'ble Court be pleased to issue a Writ of Mandamus or an appropriate Writ, Order, Direction in the nature of Mandamus or an appropriate Writ, Order or Direction directing Respondent No.2 to decide the representation/application made by the Petitioners judicially within such period as this Hon'ble High Court may deem fit and proper and further be pleased to issue a Writ of Mandamus restraining Respondent Nos.3 and 4 from recovery of the difference of the fees from the students.

(b) Pending the hearing and final disposal of the above referred Petition, this Hon'ble Court be pleased to grant stay to the important notice dated 26.12.2005 issued by Respondent No.4 and further be pleased to restrain Respondent No.4 from taking

any coercive action against students for recovery of arrears of fees.

(c) Ad interim relief in terms of prayer (b) be granted.

(d) Such other and further reliefs as this Hon'ble Court may deem fit and proper be granted in the facts and circumstances of this case.

2. It is contended on behalf of the Petitioners that representations have already been made to the Respondent No.2 by the Petitioners as also some other similarly situated students. Those representations are pending adjudication by the Respondent No.2. Direction is, therefore, claimed directing the Respondent No.2 to decide the representations within a stipulated period.

3. Mr.C.J. Sawant, Senior Advocate appearing for Respondent No.2, states that the periods mentioned in the notice dated 26th September 2005 continues to be the same and what has been extended by the notice dated 26th December 2005 at page 37 is the period for depositing the arrears payable till 31st December 2005. In view of this statement, in our opinion, the Petition can be conveniently disposed of by directing the Respondent No.2 to decide the representations made by the Petitioners and other similarly situated students latest by 20th February 2006.

4. Petition accordingly disposed of.

5. Parties to act on authenticated copy of this order.